

Senate File 2311

H-8357

1 Amend the amendment, H-8340, to Senate File 2311, as
2 amended, passed, and reprinted by the Senate, as follows:

3 1. Page 11, after line 4 by inserting:

4 <Sec. ____ . NEW SECTION. **476.26A Right to construct, own,**
5 **and maintain electric transmission lines.**

6 1. As used in this section, unless the context otherwise
7 requires:

8 *a. "Electric transmission line"* means a high-voltage
9 electric transmission line with a capacity of one hundred
10 kilovolts or more and any associated electric transmission
11 facilities.

12 *b. "Electric transmission owner"* means an individual or
13 entity who, as of the effective date of this Act, owns and
14 maintains an electric transmission facility including electric
15 transmission lines, wires, or cables that are capable of
16 operating at an electric voltage of one hundred kilovolts or
17 more that are required for rate-regulated electric utilities,
18 municipal electric utilities, and rural electric cooperatives
19 in this state to provide electric service to the public for
20 compensation.

21 *c. "Incumbent electric transmission owner"* means any of the
22 following:

23 (1) A public utility or a municipally owned utility that
24 owns, operates, and maintains an electric transmission line in
25 this state.

26 (2) An electric cooperative corporation or association or
27 municipally owned utility that owns an electric transmission
28 facility in this state and has turned over the functional
29 control of such facility to a federally approved authority.

30 (3) An *"electric transmission owner"* as defined in paragraph
31 *"b"*.

32 *d. "Municipally owned utility"* means a *"city utility"* as
33 defined in section 362.2, or an *"electric power agency"* as
34 defined in section 390.9 which is comprised solely of cities or
35 solely of cities and other political subdivisions.

1 2. An incumbent electric transmission owner may construct,
2 own, and maintain an electric transmission line that has
3 been approved for construction in a federally registered
4 planning authority transmission plan and which connects to an
5 electric transmission facility owned by the incumbent electric
6 transmission owner. Where an electric transmission line
7 connects to electric transmission facilities owned by two or
8 more incumbent electric transmission owners, each incumbent
9 electric transmission owner whose facilities connect to the
10 electric transmission line may construct, own, and maintain the
11 electric transmission line individually and equally. If an
12 incumbent electric transmission owner declines to construct,
13 own, and maintain its portion of an electric transmission line
14 that connects to electric transmission facilities owned by
15 two or more incumbent electric transmission owners, then the
16 other incumbent electric transmission owner or owners that own
17 the electric transmission facilities to which the electric
18 transmission line connects may construct, own, and maintain the
19 electric transmission line individually and equally.

20 3. This section shall not modify the authority of the board
21 under chapter 478 or the requirements, rights, and obligations
22 relating to the construction, maintenance, and operation of
23 electric transmission lines pursuant to chapter 478.>

24 2. By renumbering as necessary.

WATTS of Dallas